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CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner of Patents and Trademarks, P.O. Box 1450, Alexandria, VA, 22313-1450.

Nancy Yorke

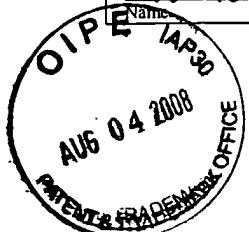
Name

Nancy Yorke

Signature

Date

Aug. 1, 2008



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Aiyar et al.

Serial No.: 10/553,117 Case No.: MS0019

Art Unit: TBA

Filed: October 13, 2005

Examiner: TBA

For: SPLICE VARIANTS OF HUMAN VOLTAGE-GATED CALCIUM CHANNEL  $\alpha 2\beta 2$ -2 SUBUNIT DESIGNATED  $\alpha 2\beta 2$ -A AND  $\alpha 2\beta 2$ -B

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

COMMUNICATION UNDER 37 CFR §1.8(b) REGARDING  
NOTICE OF ABANDONMENT OF APPLICATION

Sir:

This Communication under 37 CFR §1.8(b) is in response to the Notice of Abandonment dated June 27, 2008 for the above captioned application. The Notice of Abandonment states that the Applicant has failed to respond to a notification of Missing Requirement mailed November 2, 2006 within the time period set therein.

REMARKS

Applicants respectfully submit that the Notice of Abandonment for the present application is in error. Applicants respectfully request that the Notice of Abandonment and record of Abandonment be withdrawn, that the Submission of Sequence Statement originally filed December 19, 2006 be accepted and entered as timely filed, and that examination on the merits proceed.

Applicants received November 6, 2006 a "Notification to Comply with Requirements for Patent Applications Containing Nucleotide and/or Amino Acid Sequence Disclosures" (Notification) that was mailed November 2, 2006. The Notification provided a two month time with which to respond. The Notification required an initial computer readable form (CRF) and paper copy of the Sequence Listing, an amendment directing its entry into the application and a statement that the CRF and paper copies were identical. It should be noted that Applicants had previously submitted the CRF and paper copy of the Sequence Listing and the statement when the application was originally filed October 13, 2005. Notwithstanding, Applicants submitted a timely response (Response), a copy of which is enclosed herewith, on December 19, 2006, which Response included the CRF and paper copies, sequence statement, and an amendment directing its entry into the application. Applicants received the stamped postcard acknowledging receipt by the USPTO on December 22, 2006, a copy of which is attached herewith, on December 28, 2006.

The undersigned attorney hereby certifies that the original of the attached Response was submitted in response to the Notification. The undersigned attorney further states that they had a reasonable basis to expect that the Response would be timely filed on December 19, 2006 by being deposited with the U.S. Postal Service with sufficient postage as First Class Mail addressed to the Assistant Commissioner for Patents, Washington DC 20231 under the provisions of 37 CFR §1.8. The Response also bears a stamped certification of mailing in accordance with 37 CFR §1.8(a)(1)(ii) with the mailing date of December 19, 2006. The undersigned attorney avers that based on standard operating procedures of their employer they had a reasonable basis to expect that the correspondence would in fact be mailed on the date indicated.

In reviewing the Transaction History for this application in PAIR, Applicants note that the Response submitted on December 19, 2006 was not entered, however, the previous sequence submission of October 13, 2005 is included within the File Wrapper. In an effort to ensure the completeness of the Transaction History and File Wrapper for this application, it should be noted that the IDS submitted on February 28, 2007, a copy of which is enclosed

herewith, is not included in the Transaction History, but is included with the File Wrapper. A copy of the postcard receipt is included herewith dated March 5, 2007. A copy of the Transaction History and File Wrapper is also enclosed herewith. Applicants request that the Transaction History be amended to include the IDS submission as well.

CONDITIONAL PETITION

Applicants hereby make a Conditional Petition for any relief available to correct any defect in connection with this filing, or any defect remaining in this application after this filing. The Commissioner is authorized to charge deposit account 13-2755 for the petition fee and any other fee(s) required to effect this Conditional Petition.

CONCLUSION

Having demonstrated that the outstanding Notification was responded to in a timely fashion, Applicants respectfully request that the Notice and record of Abandonment be withdrawn and that prosecution of the application on the merits be allowed to proceed.

Respectfully submitted,

By   
Joan E. Switzer  
Reg. No. 34,740  
Attorney for Applicant

MERCK & CO., INC.  
P.O. Box 2000  
Rahway, New Jersey 07065-0907  
(732) 594-5616

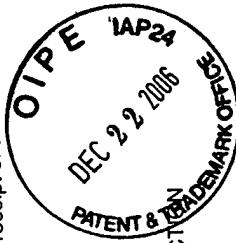
Date: August 1, 2008

Attachments: Copy of Response mailed December 19, 2006  
Copy of Postcard acknowledged by USPTO on December 22, 2006  
Copy of PAIR Transaction History and File Wrapper for 10/553,117  
Copy of IDS mailed February 28, 2007  
Copy of Postcard acknowledged by USPTO on March 5, 2007

**P&T OFFICE ACKNOWLEDGEMENT**

ATTORNEY	V. Kohli	DATE	12/19/2006
CASE NUMBER/	MS0019P	SERIAL NUMBER	10/553,117
DATE FILED	10/13/2005		
APPLICANT	Aiyar et al.		
EXPRESS MAIL NO.	-----		

The Patent & Trademark Office acknowledges, and has stamped hereon, the date of the receipt of the items checked below:



- AMENDMENT
- APPEAL AND FEE
- ASSIGNMENT
- BRIEF
- CERTIFICATE OF CORRECTION
- FINAL FEE
- LETTER
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- INFORMATION DISCLOSURE STATEMENT
- PTO 1449 & REFERENCES
- PETITION FOR EXTENSION OF TIME & FEE
- INVITATION TO CORRECT
- REMAND-CHAPTER II & FEE SHEET
- SUBMISSION of Sequence STATEMENT

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11/11/06

DR. SCHERF

181 E. 42nd Street, New York, NY 10017



10/553,117	Splice variants of human voltage-gated calcium channel alpha2beta-2 subunit designated - alpha2beta-a and alpha2beta2-b	07-23- 2008::08:29:02
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**Transaction History**

Date	Transaction Description
06-02-2007	Abandonment -- Inc. Application under Rule 53(b) - Filing Fee Paid
03-13-2006	Cleared by OIPE CSR
03-13-2006	Cleared by OIPE CSR
03-13-2006	Cleared by OIPE CSR
10-13-2005	CRF Disk Has Been Received by Preexam / Group / PCT
10-13-2005	Initial Exam Team nn

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10/553,117

Splice variants of human voltage-gated calcium channel alpha2beta-2 subunit  
designated - alpha2beta-a and alpha2beta2-b07-23-  
2008::08:21:51

This application is officially maintained in electronic form. To View: Click the desired Document Description. To Download and Print: Check the desired document(s) and click PDF.

**Bibliographic Data**

Mail Room Date	Document Code	Document Description	Document Category	Page Count
06-27-2008	ABN	Abandonment	PROSECUTION	1
03-05-2007	IDS	Information Disclosure Statement (IDS) Filed	PROSECUTION	11
03-05-2007	FOR	Foreign Reference	PRIOR ART	177
03-05-2007	FOR	Foreign Reference	PRIOR ART	73
03-05-2007	FOR	Foreign Reference	PRIOR ART	83
03-05-2007	FOR	Foreign Reference	PRIOR ART	258
03-05-2007	FOR	Foreign Reference	PRIOR ART	48
03-05-2007	NPL	NPL Documents	PRIOR ART	8
03-05-2007	NPL	NPL Documents	PRIOR ART	35
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03-05-2007	NPL	NPL Documents	PRIOR ART	20
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03-05-2007	NPL	NPL Documents	PRIOR ART	2
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03-05-2007	NPL	NPL Documents	PRIOR ART	17
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11-02-2006	PEFN	Pre-Exam Formalities Notice	PROSECUTION	2
02-22-2006	WFEE	Fee Worksheet (PTO-06)	PROSECUTION	4
01-13-2006	LET.	Miscellaneous Incoming Letter	PROSECUTION	2
01-13-2006	OATH	Oath or Declaration filed	PROSECUTION	3
12-22-2005	IDS	Information Disclosure Statement (IDS) Filed	PROSECUTION	4
12-22-2005	FOR	Foreign Reference	PRIOR ART	10

12-22-2005	FOR	Foreign Reference	PRIOR ART	17
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10-13-2005	TRNA	Transmittal of New Application	PROSECUTION	2
10-13-2005	SPEC	Specification	PROSECUTION	75
10-13-2005	CLM	Claims	PROSECUTION	5
10-13-2005	ABST	Abstract	PROSECUTION	2
10-13-2005	DRW	Drawings-only black and white line drawings	PROSECUTION	1
10-13-2005	SEQLIST	Sequence Listing	PROSECUTION	8
10-13-2005	OATH	Oath or Declaration filed	PROSECUTION	9
10-13-2005	IMIS	Miscellaneous Internal Document	PROSECUTION	1
10-13-2005	WFEE	Fee Worksheet (PTO-06)	PROSECUTION	1
10-13-2005	A.PE	Preliminary Amendment	PROSECUTION	1
10-13-2005	SPEC	Specification	PROSECUTION	1
10-13-2005	CLM	Claims	PROSECUTION	4
10-13-2005	REM	Applicant Arguments/Remarks Made in an Amendment	PROSECUTION	1
10-13-2005	NPL	NPL Documents	PROSECUTION	106
10-13-2005	ARTIFACT	Artifact sheet indicating an item has been filed which cannot be scanned	PROSECUTION	1
10-13-2005	CRFL	CRF Sequence Listing Filed	PROSECUTION	1
10-13-2005	SEQLIST	Sequence Listing	PROSECUTION	9
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09-13-2005	WCLM	Claims Worksheet (PTO-2022)	PROSECUTION	1

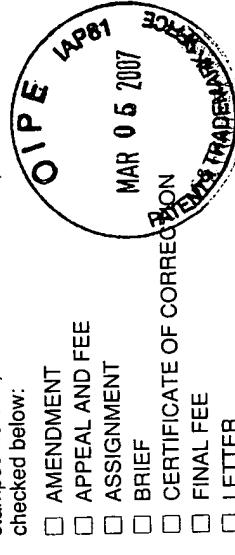
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**P&T OFFICE ACKNOWLEDGEMENT**

ATTORNEY	V. Kohli	DATE	02/28/2007
CASE NUMBER/	MS0019P	SERIAL NUMBER	10/553,117
DATE FILED	10/13/2005		

APPLICANT  
Aiyar et al.  
EXPRESS MAIL NO. \_\_\_\_\_

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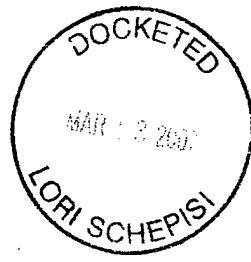
- AMENDMENT
- APPEAL AND FEE
- ASSIGNMENT
- BRIEF
- CERTIFICATE OF CORRECTION
- FINAL FEE
- LETTER
- REQUEST FOR F.F. LICENSE
- INFORMATION DISCLOSURE STATEMENT
- PTO 1449 & REFERENCES
- PETITION FOR EXTENSION OF TIME & FEE
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- DEMAND-CHAPTER II & FEE SHEET

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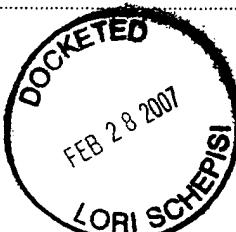
Merck & Co., Inc.  
PATENT DEPARTMENT, RY60-30  
P.O. Box 2000  
Rahway, New Jersey 07065 - 0907

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Aiyar et al.

Serial No. 10/553,117

Filed: October 13, 2005

For: SPLICE VARIANTS OF HUMAN VOLTAGE-GATED  
CALCIUM CHANNEL  $\alpha$ 2 $\beta$ -2 SUBUNIT DESIGNATED  
 $\alpha$ 2 $\beta$ 2-A AND  $\alpha$ 2 $\beta$ 2-B

Art Unit: T/B/A

Examiner: T/B/A

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR 1.97

Sir:

1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications or other information which are requested to be made of record in this application. This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).
2. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.
3. Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.
4. Pursuant to 37 C.F.R. 1.98 (a)(2)(ii), copies of each cited U.S. patent and each U.S. patent application publication are not enclosed herewith.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

MERCK &amp; CO., INC.

By J. Schepis Date 2/28/07

## INFORMATION DISCLOSURE STATEMENT

5. Pursuant to 37 C.F.R. 1.98(d), copies of references listed on the attached form that were submitted to or cited by the Office in a related application upon which the instant application relies for an earlier filing date under 35 U.S.C. 120 are not enclosed. Related application(s) in which references were submitted to or cited by the Office are as follows:

<b>RELATED APPLICATION</b>		
<b>U. S. SERIAL NUMBER</b>	<b>FILING DATE</b>	<b>MERCK CASE</b>

If this is inconvenient, additional copies will be submitted upon request.

6. In accordance with 37 C.F.R. 1.97, (check one)

- the attached information is filed within three months of the filing date of the captioned case.
- the attached information is filed more than three months after the filing date but prior to the mailing of a first Office Action on the merits.
- the attached information is filed before the mailing of a first Office action after the filing of a request for continued examination under §1.114.
- the attached information is being filed more than three months after the filing date and after the mailing of a first Office Action on the merits, but before the mailing date of a Final Action, Notice of Allowance, or an action that otherwise closes prosecution in the application. The enclosed authorization is therefore given to charge Deposit Account No. 13-2755 for the fee required under 37 C.F.R. 1.17(p).
- each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.
- each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart application and *this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the information disclosure statement.*
- no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated under 37 C.F.R. 1.56(c) more than three months prior to the filing of this Statement.

Respectfully submitted,



By: Vineet Kohli

Attorney \_\_\_\_\_ For Applicant(s)

Reg. No. 37,003

MERCK & CO., INC.

Patent Dept., RY60-30

P.O. Box 2000

Rahway, N.J. 07065-0907

(732)594- 3889

Date: February 28, 2007

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 8 Attorney Docket Number MS0019P

## **U.S. PATENT DOCUMENTS**

## **FOREIGN PATENT DOCUMENTS**

Examiner Signature		Date Considered	
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\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450. Computer generated form "IDS Form" (IDS Folder), Merck & Co., Inc., 8/24/2006

Substitute for form 1449B/PTO				<b>COMPLETE IF KNOWN</b>	
<b>INFORMATION DISCLOSURE</b>				Application Number	10/553,117
<b>STATEMENT BY APPLICANT</b>				Filing Date	October 13, 2005
<i>(use as many sheets as necessary)</i>				First Named Inventor	Aiyar et al.
				Group Art Unit	
				Examiner Name	
Sheet	2	of	8	Attorney Docket Number	MS0019P

<b>NON PATENT LITERATURE DOCUMENTS</b>					
Examiner Initials*	Cite No.	Include name of the author, title, date, page(s), volume-issue number(s) and place of publication.			
	1	Tsien et al., "Multiple Types of Neuronal Calcium Channels and Their Selective Modulation", Trends Neurosci., 11(10):431-438, 1988			
	2	Catterall, W. A., "Structure and Regulation of Voltage-Gated Ca <sup>2+</sup> Channels", Annual Rev. Cell Dev. Biol., 16:521-555, 2000			
	3	Llinas et al., "Distribution and Functional Significance of the P-type, Voltage-dependent Ca <sup>2+</sup> Channels in the Mammalian Central Nervous System", Trends Neurosci., 15(9):351-355, 1992			
	4	Hess, P., "Calcium Channels in Vertebrate Cells", Annual Review Neurosci., 56:337-356, 1990			
	5	Bean, B. P., "Classes of Calcium Channels in Vertebrate Cells", Annual. Rev. Physiol., 51:367-384, 1989			
	6	Hille, B., Ion Channels of Excitable Membranes, 3rd Ed., Sinauer Associates, Sunderland, Mass., 2001			
	7	Marais et al., "Calcium Channel $\alpha$ 2 $\delta$ Subunits - Structure and Gabapentin Binding", Molecular Pharmacology, 59(5):1243-1248, 2001			
	8	Dunlap et al., "Exocytotic Ca <sup>2+</sup> Channels in Mammalian Central Neurons", Trends Neurosci., 18(2):89-98, 1995			
	9	Varadi et al., "Molecular Determinants of Ca <sup>2+</sup> Channel Function and Drug Action", Trends Pharmacol. Sci., 16:43-49, 1995			
	10	Nooney et al., "Identifying Neuronal non-L Ca <sup>2+</sup> channels - More than Stamp Collecting?", Trends Pharmacol. Sci., 18:363-371, 1997			
	11	Perez-Reyes et al., "Molecular Characterization of a Neuronal Low-voltage-activated T-type Calcium Channel", Nature, 391:896-900, 1998			
	12	DeWaard et al., "Structural and Functional Diversity of Voltage-activated Calcium Channels", Ion Channels, ed. T. Narahashi, pages 41-87, Plenum Press, New York, 1996			
	13	Catterall, W. A., "Excitation-Contraction Coupling in Vertebrate Skeletal Muscle: A Tale of Two Calcium Channels", Cell, 64:871-874, 1991			
	14	Catterall, W. A., "Functional Subunit Structure of Voltage-Gated Calcium Channels", Science, 253:1499-1500, 1991			
	15	Hofmann et al., "Voltage-Dependent Calcium Channels: From Structure to Function", Rev. Physiol. Biochem. Pharmacol., 139:33-87, 1999			

Examiner Signature	Date Considered
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\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450. Computer generated form "IDS Form" (IDS Folder), Merck & Co., Inc., 8/24/2006

Substitute for form 1449B/PTO				<b>COMPLETE IF KNOWN</b>	
<b>INFORMATION DISCLOSURE</b>				<b>Application Number</b>	10/553,117
<b>STATEMENT BY APPLICANT</b>				<b>Filing Date</b>	October 13, 2005
<i>(use as many sheets as necessary)</i>				<b>First Named Inventor</b>	Aiyar et al.
				<b>Group Art Unit</b>	
				<b>Examiner Name</b>	
Sheet	3	of	8	Attorney Docket Number	MS0019P

<b>NON PATENT LITERATURE DOCUMENTS</b>		
Examiner Initials*	Cite No.	Include name of the author, title, date, page(s), volume-issue number(s) and place of publication.
	16	Lacinova et al., "Low Voltage Activated Calcium Channels: from Genes to Function", Gen. Physiol. Biophys., 19:121-136, 2000
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	25	Gurnett et al., "Dual Function of the Voltage-Dependent Ca <sup>2+</sup> Channel $\alpha$ 2δ Subunit in Current Stimulation and Subunit Interaction", Neuron, 16:431-440, 1996
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Examiner Signature		Date Considered	
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Substitute for form 1449B/PTO				<b>COMPLETE IF KNOWN</b>	
<b>INFORMATION DISCLOSURE</b>				Application Number	10/553,117
<b>STATEMENT BY APPLICANT</b>				Filing Date	October 13, 2005
<i>(use as many sheets as necessary)</i>				First Named Inventor	Aiyar et al.
				Group Art Unit	
				Examiner Name	
Sheet	4	of	8	Attorney Docket Number	MS0019P

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Examiner Initials*	Cite No.	Include name of the author, title, date, page(s), volume-issue number(s) and place of publication.			
	30	Charlier et al., "A Pore Mutation in a Novel KQT-like Potassium Channel Gene in an Idiopathic Epilepsy Family", Nature Genet., 18:53-55, 1998			
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Sheet	5	of	8	Application Number	10/553,117
				Filing Date	October 13, 2005
				First Named Inventor	Aiyar et al.
				Group Art Unit	
				Examiner Name	
				Attorney Docket Number	MS0019P

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Examiner Initials*	Cite No.	Include name of the author, title, date, page(s), volume-issue number(s) and place of publication.			
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				Filing Date	October 13, 2005
				First Named Inventor	Aiyar et al.
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				First Named Inventor	Aiyar et al.
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Sheet	7	of	8	Attorney Docket Number	MS0019P

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				Application Number	10/553,117
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				First Named Inventor	Aiyar et al.
				Group Art Unit	
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Sheet	8	of	8	Attorney Docket Number	MS0019P

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10/553,117

Filing Date

October 13, 2005

First Named Inventor

Aiyar, J. et al.

Art Unit

T/B/A

Examiner Name

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Total Number of Pages in This Submission

11 + Refs

Attorney Docket Number

MS0019P

**ENCLOSURES (Check all that apply)**

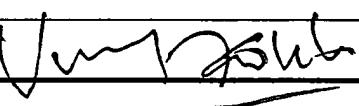
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- Amendment/Reply
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- Extension of Time Request
- Express Abandonment Request
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  - Response to Missing Parts under 37 CFR 1.52 or 1.53

- Drawing(s)
- Licensing-related Papers
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- Petition to Convert to a Provisional Application
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- Request for Refund
- CD, Number of CD(s) \_\_\_\_\_

- After Allowance Communication to Technology Center (TC)
- Appeal Communication to Board of Appeals and Interferences
- Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
- Proprietary Information
- Status Letter
- Other Enclosure(s) (please identify below):

Remarks

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Name	Vineet Kohli	Registration No. (Attorney/Agent)	37,003
Signature		Date	2/28/2007

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Signature		Date	2/28/07



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ATTORNEY	DATE
V. Kohli	02/28/2007
CASE NUMBER	SERIAL NUMBER
MS0019P	10/553,117
DATE FILED	
10/13/2005	
APPLICANT	
Aiyar et al.	
EXPRESS MAIL NO.	

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- ASSIGNMENT
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JERRI SCHIFFMAN  
Name

Jeri Schiffman  
Signature

12/19/06  
Date

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Aiyar et al.

Serial No.: 10/553,117 – Case No.: MS0019P

Art Unit:

TBA

Filed: 10/13/2005

Examiner:

TBA

For: SPLICE VARIANTS OF HUMAN VOLTAGE-GATED CALCIUM CHANNEL  $\alpha 2\beta$ -2 SUBUNIT DESIGNATED  $\alpha 2\beta$ -A AND  $\alpha 2\beta$ -B

COMMISSIONER FOR PATENTS  
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SUBMISSION OF SEQUENCE STATEMENT

Sir:

Responsive to the Communication dated November 2, 2006, having a TWO month period of response, Applicants respectfully submit that the following statement be entered. In compliance with 37 C.F.R. 1.821(f) of the Rules of Practice In Patent Cases: Application Disclosures Containing Nucleotide And/Or Amino Acid Sequences, the following statement is being submitted with the computer readable form of the Sequence Listing.

Amendments to the Specification begin on page 2 of this paper.

Remarks/Arguments begin on page 3 of this paper.

**DOCKETED**  
DEC 21 2006  
**LORI SCHERPIG**

Application #: 10/553,117  
Amendment Date: 12/19/2006  
Reply to Office Action of: 11/02/2006

AMENDMENTS TO THE SPECIFICATION:

Please enter the Sequence listing provided previously into the Specification.

Application No.: 10/553,117  
Amendment Date: 12/19/2006  
Reply to Office Action of: 11/02/2006

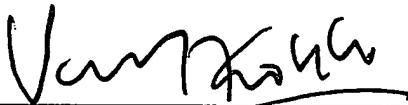
REMARKS/ARGUMENTS

Further to the Communication dated November 2, 2006, applicants submit the requested amendment to enter the sequence listing into the specification.

The Examiner is invited to contact Applicants' Attorney at the telephone number given below, if such would expedite the allowance of this application.

Favorable action is earnestly solicited.

Respectfully submitted,

By   
Vineet Kohli  
Reg. No. 37,003  
Attorney for Applicant

MERCK & CO., INC.  
P.O. Box 2000  
Rahway, New Jersey 07065-0907  
(732) 594-3889

Date: 12/19/06

**P&T OFFICE ACKNOWLEDGEMENT**

ATTORNEY		DATE
V. Kohli		12/19/2006
CASE NUMBER/	SERIAL NUMBER	
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Aiyar et al.		
EXPRESS MAIL NO.		

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SUBMISSION OF SEQUENCE  
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**LORI SCHEPISI**


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ms0019p

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/553,117	Jayashree Aiyar	MS0019P
<b>PATENT DEPARTMENT</b>		INTERNATIONAL APPLICATION NO.
		PCT/US04/12045
210 MERCK AND CO., INC P O BOX 2000 RAHWAY, NJ 07065-0907	NOV 08 2006 VINEET KOHLI <i>DK/KW/PFED</i> NOV 06 2006 <i>DK/KW/PFED</i>	I.A. FILING DATE      PRIORITY DATE
		04/16/2004      04/18/2003
<b>CONFIRMATION NO. 2168</b>		
<b>371 FORMALITIES LETTER</b>		
 *OC000000021069529*		

Date Mailed: 11/02/2006

*Seq listing (nmf) well 1-2.07  
ans  
11/02/06*

**NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS  
 CONTAINING NUCLEOTIDE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- This application clearly fails to comply with the requirements of 37 CFR 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application**. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

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ANITA D JOHNSON

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Telephone: (703) 308-9140 EXT 226

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**DOCKETED**  
DEC 23 2006  
**LORI SCHERFISI**